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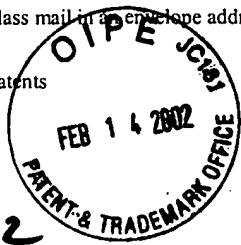
Assistant Commissioner for Patents  
Washington, D.C. 20231

**PATENT**  
Attorney Docket No.: 023070-099910US  
Client Reference No.: 99-404-2

On 2/4/02

TOWNSEND and TOWNSEND and CREW LLP

By: Maureen



*Maureen*  
FEB 20 2002  
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FEBRUARY 1600/2000

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

FISCHER et al.

Application No.: 09/840,743

Filed: April 23, 2001

For: NUCLEIC ACIDS THAT  
CONTROL PLANT DEVELOPMENT

Examiner: Not yet assigned

Art Unit: Not yet assigned

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The references cited on attached form PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. Also enclosed is a copy of the International Search Report corresponding to the related PCT application. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant

information, and no inference should be made that the information and references are cited are, or are considered to be material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the mailing of the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Matthew E. Hinsch  
Reg. No. 47,651

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SF 1313948 v1

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

1

Application Number

09/840,743

Filing Date

April 23, 2001

First Named Inventor

Fischer, et al.

Group Art Unit

not yet assigned

Examiner Name

not yet assigned

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CENTER

FEB 8 2002

600/2000

Attorney Docket Number

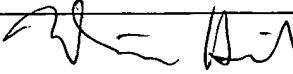
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## ENCLOSURES (check all that apply)

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<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Postcard, Copy of International Search Report for related PCT Application
<input checked="" type="checkbox"/> Information Disclosure Statement with 14 references	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

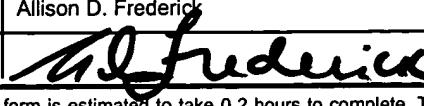
## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Matthew E. Hinsch	
Signature		
Date	February 4, 2002	

## CERTIFICATE OF MAILING

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February 4, 2002

Typed or printed name	Allison D. Frederick		
Signature		Date	February 4, 2002

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